



Report to the Legislature

NATURALIZATION FACILITATION

**As required
by RCW 74.08A.130**

December 2002

**Department of Social & Health Services
Economic Services Administration
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EXECUTIVE SUMMARY

Program Overview

RCW 74.08A.130 requires the Department of Social and Health Services to facilitate the naturalization of legal immigrants receiving public assistance, and to report annually to the Legislature on progress and barriers to the department's naturalization facilitation effort.

Naturalization is the process by which U.S. citizenship is conferred upon a legal immigrant after he or she fulfills the requirements established under the Immigration and Nationality Act (INA).

The Department of Social and Health Services (DSHS) coordinates services by contracting statewide with 38 community-based organizations (CBOs) to provide citizenship services to eligible immigrants, as mandated by RCW 74.08A.130 (Exhibit A).

To become a U.S. citizen, a refugee or immigrant must learn basic U.S. history and civics and pass a written or oral exam given in English by the U.S. Immigration and Naturalization Service (INS). The two major components of state/federal funded naturalization services include citizenship preparation training and funding for the INS fees.

Program Costs

For State Fiscal Years (SFY) 2002 and 2003, there was no specific funding appropriation for the Naturalization Facilitation program. Program expenditures for SFY 02 totaled \$1.25 million: \$817,370 in state funds and \$433,990 in federal funds.

In SFY 02, the average cost per participant for citizenship preparation training, assistance with the INS application process and INS interview follow-up services was \$320.

Key Barriers

Major barriers to the department's naturalization facilitation effort are federal funding restrictions and increased costs associated with the naturalization process:

- Restrictions on use of federal funds for naturalization facilitation purposes. Federal funds can only be used for individuals who entered the U.S. as refugees, and they cannot be used to pay for federal INS fees.
- Increase in INS fees for the naturalization application and fingerprinting. In February 2002, the naturalization application fee increased from \$225 to \$260 and fingerprinting fees increased by 100%, from \$25 to \$50.

Program Outcomes

Since April 1997 when the program began:

- 6,951 eligible immigrants were served and 2,386 reported they became U.S. citizens.
- 4,708 immigrants received assistance in paying for INS naturalization application fees.
- 801 immigrants with disabilities received assistance in the completion and submission of Disability Exception applications to the INS. Persons who receive an INS Disability Exception may qualify for a waiver of the citizenship test or will receive the test in an alternate format.

In SFY 2002:

- 2,082 eligible immigrants were served and 528 reported they became U.S. citizens.
- 1,021 immigrants received assistance in paying for INS naturalization application fees.
- 129 immigrants with disabilities received Disability Exception applications approved by the INS.

SFY 2002 REPORT ON NATURALIZATION FACILITATION

I. BACKGROUND

Naturalization is the process by which U.S. citizenship is conferred upon a legal immigrant after he or she fulfills the requirements established under the Immigration and Nationality Act (INA). The general requirements for naturalization include:

- A period of continuous residence and physical presence in the U.S.;
- An ability to read, write, and speak English;
- A knowledge and understanding of U.S. history and government;
- Good moral character;
- Attachment to the principles of the U.S. Constitution; and
- Favorable disposition toward the United States.

Most legal immigrants must reside in the U.S. for five years before they are eligible to become citizens. Immigrants who obtained permanent residency through marriage to a U.S. citizen must reside in the U.S. for three years before they can apply for citizenship. It generally takes about 12 months to naturalize.

RCW 74.08A.130 requires the department to facilitate applications for naturalization for legal immigrants who receive public assistance. To facilitate the citizenship process, the department is required to coordinate and contract with public and private resources to ensure immigrants are referred to or otherwise offered classes. The department must also assist eligible immigrants to obtain appropriate test exemptions and other exemptions in the naturalization process, to the extent permitted under federal law. The stated intent of the Legislature is that immigrants receive naturalization facilitation services within two years of their eligibility to become a U.S. citizen.

Benefits of Naturalization

Naturalized citizens receive the same rights as other citizens – most importantly the right to vote. Naturalized citizens are free from the threat of deportation, which is particularly significant in light of the strict scrutiny of non-citizens after the terrorist attacks in September 2001. In addition, naturalized citizens can expect assistance from the U.S. Government when on trips abroad, sponsor other family members to the U.S., and access federally funded needs-based programs on the same basis as other citizens. Also, under current federal law, children automatically become citizens if at least one parent naturalizes. This provides the

children with the same rights and advantages that their parents acquire through naturalization.

Naturalizing legal immigrants also benefits the state. Current federal law limits access for many immigrants to most federally funded assistance programs. Legal immigrants who receive state-funded food assistance, State Family Assistance (SFA), and General Assistance (GA) can move to the equivalent federal programs (federal Food Stamps, Temporary Assistance to Needy Families (TANF) and federal Supplemental Security Income (SSI) disability benefits) when they become citizens through the naturalization process. This movement will result in a reduction of state expenditures.

II. TARGET POPULATION

To qualify for naturalization services, immigrants must be receiving SSI benefits or benefits through a cash, medical, or food assistance program administered by DSHS. This includes immigrants who are barred from federal benefits because of their immigration status. Clients most benefiting from these services include:

- Legal immigrants who are age 65 or older and who meet SSI income standards. These clients could qualify for SSI benefits if they naturalize.
- Immigrants who entered the U.S. after welfare reform (August 1996) who were immediately barred from receipt of federal benefits. Many of these clients are on state-funded assistance and would qualify for federal benefits if they naturalize.
- Refugees who can receive SSI for a maximum of seven years from the date they entered the U.S. under federal regulations. These individuals can continue to receive SSI beyond seven years if they become U.S. citizens.

Washington State ranks fourth in the U.S. in resettling new refugees. Only Florida, California and New York resettle more refugees than Washington¹. Washington receives approximately 10,000 – 15,000 new immigrants and refugees each year. Of these, approximately 10 percent are elderly. These numbers support the fact the potential pool of immigrant and refugee clients is growing and it is anticipated that the demand for naturalization services will continue to be greater than our ability to purchase services.

¹ Source: Refugee Resettlement Program Report to Congress – FY 2000, Department of Health and Human Services, July 2002.

III. NATURALIZATION SERVICES

In response to the legislative mandate, the department provides naturalization facilitation services through contracts with 38 community-based organizations (Exhibit C).

To maximize resources, the department contracts with City of Seattle as the prime contractor for naturalization services in King County. This allows the state to take advantage of services the City already provides through its New Citizen Initiative (NCI) program, such as legal assistance, teacher training and consultation, and CBO training on INS policies.

All contracted service providers have ties to ethnic communities through other social service programs and must provide services in the client's primary language and in culturally appropriate ways. Citizenship classes are held in CBO classrooms, community colleges, neighborhood community centers, church facilities, and housing multi-purpose rooms. The time of day that the service is offered, class location, teaching techniques, and transportation assistance are tailored to the needs of the participants.

Some recipients are elderly and often suffer from age related memory loss or lack of concentration. They need to spend more time in classes, practicing and studying before they can successfully pass the test. These participants often delay applying for naturalization until they are confident they can pass the interview.

A. Services Provided

Naturalization services provided through department contracts include:

- Assistance with completion and submittal of the INS Application for Naturalization form (INS N-400). The form is lengthy and difficult for many clients to complete.
- Payment of the INS naturalization application (\$260) and fingerprinting (\$50) fees.
- Assistance in requesting a waiver request to the INS application fee.
- Citizenship preparation training and instruction, including classes in American History and civics.
- English language training needed for the citizenship test.

- Assistance with completion and submittal of the INS Medical Certification for Disability Exception form (INS N-648). This form requires a physician to verify the applicant's disability.
- Assistance in obtaining other test exemptions when appropriate.
- Assistance for clients who are reapplying and/or need special accommodations at the interview.
- Referrals to legal assistance or representation if necessary.

B. Test Exemptions

CBO staff assist applicants to apply for test exemptions, ensuring that those who meet the language exemption have interpreters at the interview. They also facilitate the process of helping applicants obtain medical information from their physicians or psychologists that are needed by the INS to make a disability exception determination. The INS will either exempt certain disabled clients from having to take the citizenship test, or allow them to take a verbal instead of a written test.

Some immigrants may be eligible for test exemptions of the English and full civics testing if they are 50 years old and have been a permanent resident of the U.S. for a long period of time. There are three different age and residency exemptions that allow the applicant to take the test in his/her primary language, or if illiterate, orally. In some cases where the applicant is 65 years of age or older, he or she may be given a shortened version of the test.

C. Outreach

Most CBOs that provide naturalization services have close ties to immigrant and refugee communities as they often provide other social services for them. They are effective in informing low-income and elderly immigrants about the naturalization services they provide.

In addition, the department is conducting outreach to more than 300 General Assistance (GA) clients who would be eligible for SSI if they naturalize. Letters have been sent to these clients to notify them of the availability of naturalization services and the nearest contracted provider.

Outreach letters have also been sent to more than 800 refugees who receive SSI and who are eligible to naturalize. These clients can only receive SSI for a maximum of seven years from the date they entered the U.S. unless they become citizens.

If they lose SSI eligibility because of the time limit, they would likely qualify for state-funded General Assistance. Naturalizing General Assistance clients and refugees receiving SSI would reduce state expenditures.

D. INS Fees

In addition to having some fluency in the English language and knowledge of U.S. history and civics, a major problem for low-income immigrants is the cost of naturalization. In February 2002, INS raised the application fee from \$225 to \$260. At the same time, INS increased fingerprinting fees from \$25 to \$50.

The number of naturalization applications decreased by about 7.5%, from 1,197 in SFY 01 to 1,107 in SFY 02. The fee increases may have contributed to this decline.

To offset the INS fee increases, the department is encouraging service providers to assist clients to request a fee waiver. As a result, 86 fee waiver requests were submitted in SFY 02, which is more than were requested in the previous four years since the naturalization program began. INS uses the following guidelines when considering fee waiver requests:

- The applicant has received a federal means tested public benefit (e.g., food stamps, Medicaid, SSI, or TANF) within six months of applying for naturalization.
- The client's household income for the most recent tax year is at or below the federal poverty level.
- The client is age 65 or older when applying.
- The applicant has dependents in the household who are applying at the same time.
- The client is considered by INS to be in a special situation requiring humanitarian or compassionate consideration.

Filing a request for a fee waiver is a significant workload increase for both the service provider and the client. The INS requires verification of the client's circumstances, such as income earned during the most recent tax year, family composition, or justification that the client is in a special situation requiring compassionate consideration. Submitting a fee waiver request will likely increase the processing time by about two months.

IV. BARRIERS TO NATURALIZATION

The naturalization process can be especially difficult for the elderly and persons with limited English proficiencies since they must meet the INS criteria for naturalization and correctly answer questions regarding U.S. history and government in an interview before an INS Examiner.

Naturalization services assist many immigrants overcome anxieties and barriers to the citizenship process including:

- Fear of contacting the INS to apply, especially given the close scrutiny on many non-citizens following the terrorist attacks in September 2001;
- Age related memory problems and their impact on learning civics and history;
- Inability to speak English under the pressure of the citizenship interviews;
- Citizenship classes that are tailored for “everyone” regardless of English capabilities;
- Difficulty in obtaining an exception to the testing process due to disability; and
- Costs related to applying for naturalization.

CBO contractors play a major role in addressing these concerns and preparing the clients they serve for the citizenship application process.

Applicants must complete a ten-page application, obtain fingerprints for background checks, and correctly answer questions regarding U.S. government and history as well as show their ability to speak English. The fees for the application and fingerprints are covered by funds for this program. Applications take about twelve months to be processed and may be delayed even further if INS requests more documentation.

VI. PROGRAM EXPENDITURES

For SFY 02 and 03, there has been no specific appropriation for the Naturalization program. In SFY 02, Naturalization program expenditures totaled \$1.25 million: \$817,370 in state funds and \$433,990 in federal funds.

In SFY 02, the average cost per participant for citizenship preparation training, assistance with the INS application process and INS interview follow-up services was \$320.

The use of federal funds is restricted, as they can only be used for clients who entered the U.S. as refugees and cannot be used to pay for INS fees. Using both federal and state funds is difficult for contractors. They must track two client groups (refugees vs. non-refugees) and the type of service provided to ensure the appropriate use of state and federal funding.

VII. PROGRAM OUTCOMES

As noted in the chart below, since the Naturalization Facilitation program began in April 1997, over 2,300 successfully naturalized after receiving services. This number is likely to be much higher because not all participants report their naturalization to contractors. While contractors receive payment for verification that a client successfully naturalized, the process can be lengthy and some clients may have to apply more than once before they are successful. Some clients move and naturalize on their own after receiving services and this information is not often reported to the service provider.

Contracted service providers reported the specific services and outcomes below:

	<u>April 1997–June 2002</u>	<u>July 2001–June 2002</u>
Total participants	6,951	2,082
Total reported as naturalized	2,386	528
Person hours of training	317,692	72,225
Application fees paid	4,708	1,021
Disability Certifications	801	129

EXHIBIT A

RCW 74.08A.130

Immigrants -- Naturalization facilitation.

The department shall make an affirmative effort to identify and proactively contact legal immigrants receiving public assistance to facilitate their applications for naturalization. The department shall obtain a complete list of legal immigrants in Washington who are receiving correspondence regarding their eligibility from the social security administration. The department shall inform immigrants regarding how citizenship may be attained. In order to facilitate the citizenship process, the department shall coordinate and contract, to the extent necessary, with existing public and private resources and shall, within available funds, ensure that those immigrants who qualify to apply for naturalization are referred to or otherwise offered classes. The department shall assist eligible immigrants in obtaining appropriate test exemptions, and other exemptions in the naturalization process, to the extent permitted under federal law. The department shall report annually by December 15th to the legislature regarding the progress and barriers of the immigrant naturalization facilitation effort. It is the intent of the legislature that persons receiving naturalization assistance be facilitated in obtaining citizenship within two years of their eligibility to apply.

[1997 c 58 § 204.]

EXHIBIT B

BASIC INFORMATION ON BECOMING A U.S. CITIZEN

Who is eligible?

Legal permanent residents that have resided in the U.S. for five years (three years if married to a US citizen). Permanent resident status is indicated on the applicant's INS- I-551 Permanent Resident Card (also known as a "green card").

Requirements to apply for citizenship - Applicant must:

- Have been present in the U.S. for at least half of the 5 years (three years if married to a U.S. citizen);
- Be able to pass a test on speaking, understanding, reading and writing basic English;
- Be able to pass a United States history and government test;
- Have good moral character;
- Understand and accept the oath of allegiance to the United States; and
- Not have a citizenship-related legal problem.

Exceptions in the testing requirements

For applicants that meet certain age and time in the U.S. criteria, the INS makes exceptions to the testing procedures. This may include allowing the applicant to bring an interpreter for the English test, or asking the applicant 10 history and U.S. government questions instead of 20. For applicants who meet the INS criteria for disability, both tests are waived.

What is the process?

If the applicant meets all the eligibility requirements, he or she may file an INS Application for Naturalization form with required photos and a money order or check for the application fee (\$260) and fingerprint fee (\$50) to the INS. The process takes approximately 9-12 months from the date the application is sent to the INS to the date of the interview.

Are there any resources available to help?

There are community based organizations in the state that provide services to eligible applicants including assistance in completing the citizenship application and disability waiver requests, providing applicants with the INS fees, or assisting them to request the INS to waive the fees for low income families. These agencies also provide citizenship preparation classes.

What are the benefits?

Many SSI clients that have not naturalized or show they have 40 work quarters will lose their SSI benefits when they reach their 5 or 7 year time limit. By becoming citizens, they can maintain their benefits and become eligible for a full range of other public benefits. Citizens can apply for more family members to immigrate to the US and often more quickly than lawful permanent residents. Children who are under 18 at the time one or both of their parents naturalizes, automatically become U.S. citizens. Citizens can vote, can travel abroad without worrying about re-entry permits, are protected from deportation and can apply for certain government jobs.

EXHIBIT C

DSHS/CITY OF SEATTLE NATURALIZATION CONTRACTORS

11/02

Asian Counseling & Referral Service

720 8th Ave S., Suite 200
Seattle, WA 98104
(206) 695-7600

Catholic Community Services – Refugee Assistance Program

St. Edwards School
4250 Mead Street
Seattle, WA 98118
(206) 725-2090

Center for Career Alternatives

901 Rainier Avenue S.
Seattle, WA 98144
(206) 322-9080

Center for Multi Cultural Health

105 14th Ave #2C
Seattle, WA 98122
(206) 461-6910

Chinese Information Service Center

409 Maynard Ave S #203
Seattle, WA 98104
(206) 624-5633

Coalition of Lao MAA's

4714 Rainier Ave S #108
Seattle, WA 98118
(206) 723-8440

El Centro de la Raza

2524 16th Avenue S
Seattle, WA 98144
(206) 329-9442

Eritrean Community of Seattle and Vicinity

2402 E. Spruce Street
Seattle, WA 98122
(206) 323-1154

Horn of Africa Services

4714 Rainier Ave. S#108
Seattle, WA 98118
(206) 760-5071

Indochina Chinese Refugee Association

418½ 8th Avenue S.
Seattle, WA 98104
(206) 625-9955

International District Housing Alliance

606 Maynard Ave S #105
Seattle, WA 98104
(206) 623-5132

International Drop-in Center

513 South Main Street
Seattle, WA 98103
(206) 748-0282

Jewish Family Services

1601 16th Avenue
Seattle, WA 98122
(206) 461-3240

My Service Mind

11016 Bridgeport Wy SW
Tacoma, WA 98499
(253) 584-5615

Neighborhood House

(Rainier Vista Housing)
3006 S. Oregon
Seattle, WA 98108
(206) 461-4568

NW Immigrant Rights Project

121 Sunnyside Ave
Granger, WA 98932
(509) 854-2100
1-888-756-3641

Refugee Women's Alliance

3004 S Alaska Way
Seattle, WA 98108
(206) 721-0243

SeaMar Community Health Centers

8915 14th Ave S
Seattle, WA 98108
(206) 762-0876

St. James ESL Program

804 9th Avenue
Seattle, WA 98104
(206) 382-4511

Somali Community Services Coalition

7630 126th St.
Seattle, WA 98118
(206) 722-2314

Tacoma Community House

1314 So. L Street
Tacoma, WA 98415
(253) 383-3951

Ukrainian Community Center of Washington

25628 101st Avenue SE
Kent, WA 98031
(253) 850-7655

Vietnamese Friendship Association

3018 16th Avenue S
Seattle, WA 98144
(206) 760-1574

World Relief (Seattle)

316 Maynard Ave. S
Seattle, WA 98104-2719
(206) 587-0234

EXHIBIT C

DSHS/CITY OF SEATTLE NATURALIZATION CONTRACTORS

11/02

**Ethiopian Community
Mutual Association**

2111 E. Union Street
Seattle, WA 98122
(206) 325-0304

**Filipino Community of
Seattle**

5740 ML King Jr. Way S
Seattle, WA 98118
(206) 722-9372

**Hmong Association of
Washington**

3925 S Bozeman Street
Seattle, WA 98118
(206) 767-3104

**Refugee Federation
Service Center**

7101 ML King Jr. Way,
Suite 214
Seattle, WA 98118
(206) 725-9181

**Refugee & Immigrant
Forum of Snohomish
County**

2000 Tower Street
Everett, WA 98201-1352
(425) 388-9307

**Refugee & Immigrant
Service Center**

1722 Harrison Ave NW
Olympia, WA 98502
(360) 754-7197

**World Relief
(Spokane)**

2628 N. Monroe
Spokane, WA 99205
(509) 484-9829 ext. 102

**World Relief
(TriCities)**

123 1st Avenue
Kennewick, WA 98336
(509) 585-9921

**YiuMien Community
Association**

P.O. Box 18562
Seattle, WA 98118
(206) 323-0390 ext. 208